

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:17-CV-429-D

RALCO, LLC,

Plaintiff,

v.

R.J. CORMAN RAILROAD COMPANY/
CAROLINA LINES, LLC,

Defendant.

ORDER

On September 21, 2017, defendant moved to compel arbitration and to stay proceedings [D.E. 13] and filed a memorandum in support [D.E. 14]. Plaintiff did not respond.

The record demonstrates: (1) the existence of a dispute between the parties; (2) a written agreement that includes an arbitration provision purporting to cover the dispute and that is enforceable under general provisions of contract law; (3) the relationship of the transaction, as evidenced by the agreement, to interstate commerce; and (4) plaintiff's refusal to arbitrate the dispute. Thus, the court grants the motion to compel arbitration. See, e.g., Marmet Health Care Ctr., Inc. v. Brown, 565 U.S. 530, 531–33 (2012) (per curiam); CompuCredit Corp. v. Greenwood, 565 U.S. 95, 98 (2012); AT&T Mobility LLC v. Concepcion, 563 U.S. 333, 344–52 (2011); Citizens Bank v. Alafabco, Inc., 539 U.S. 52, 56–58 (2003) (per curiam); Green Tree Fin. Corp.-Ala. v. Randolph, 531 U.S. 79, 91–92 (2000); Galloway v. Santander Consumer USA, Inc., 819 F.3d 79, 89–90 (4th Cir. 2016); Chorley Enters. v. Dickey's Barbecue Rests., Inc., 807 F.3d 553, 562–63 (4th Cir. 2015); Santoro v. Accenture Fed. Servs., LLC, 748 F.3d 217, 221 (4th Cir. 2014); Rota-McLarty v. Santander Consumer USA, Inc., 700 F.3d 690, 697–98 (4th Cir. 2012); Germany v. River Terminal Ry., 477 F.2d 546, 548 (6th Cir. 1974) (per curiam).

In sum, defendant's motion to compel arbitration and to stay proceedings [D.E. 13] is GRANTED. The court STAYS the action pending arbitration of plaintiff's claims. The parties shall notify this court upon the conclusion of the arbitration. Defendant's motion to stay proceedings pending ruling and request for expedited ruling [D.E. 15] is DENIED as moot.

SO ORDERED. This 12 day of October 2017.



JAMES C. DEVER III
Chief United States District Judge